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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/683,975

03/07/2002

Shu-Ming Liu

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08/23/2004

NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE)

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MERRIFIELD, VA 22116

EXAMINER

SHAPIRO, LEONID

ART UNIT

PAPER NUMBER

2673

8

DATE MAILED: 08/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/683,975

Applicant(s)

LIU, SHU-MING

Examiner

Leonid Shapiro

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Newly introduced limitation recited: " and when the computer system prompts the user for input data ...". It is not clear, why and how the computer system prompts the user for input data, when user personal data already available in the memory of the voice input module.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hasan (US Patent No. 6, 404, 859 B1) in view of Ausems et al. (US Patent No. 6,434,403 B1) and Carman (Pub. No.: US 2003/0046567 A1).

As to claim 1, as best understood by examiner, Hasan teaches a portable voice input module (Fig. 1, item 12) capable of connecting to a computer system (See Fig. 1, items 12, 14, 16, Col. 3, Lines 33-47), the computer system comprising a language processing program for translating voice signals inputted from voice input module into

corresponding computer commands (See Fig. 1, item 20, Col. 4, Lines 48-65), the voice input module comprising: a microphone for processing voice command spoken by a user to voice signal (See Fig. 1, items 10, 15, Col. 3, Lines 48-50); wherein when the voice input module connects to the computer system and when the a language processing program of the computer system translates the voice signals inputted from the voice input module into corresponding computer commands, the computer system executes the computer commands (See Fig. 1, items 12, 14, 16, Col. 3, Lines 33-47).the voice

Hasan does not show a memory for storing personal data by the user in a portable input module, the computer system is capable of retrieving the personal data stored in the memory and utilize the personal data stored in the memory of input module to complete the computer commands.

Ausems et al. teaches a memory for storing personal data by the user in a portable input module (See Fig. 3, items 310, 320, Col. 7, Lines 53-59), the computer system is capable of retrieving the personal data stored in the memory (See Fig. 2, items 100, 270, 210, Col. 9, Lines 17-21) and utilize the personal data stored in the memory of input module to complete the computer commands (See Figs. 2-3, items 100, 210, 270, 330, Col. 9, Lines 23-30).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the teaching of Ausems et al. into Hasan apparatus in order to exchange data with remote computer via the wireless telephone engine (See Col. 2, Lines 1-2 in Ausems et al. reference).

Hasan and Ausems et al. do not show when computer prompts the user for input data, the computer system utilizes personal data stored in the memory for supplying the input data.

Carman teaches when computer prompts the user for input data, the computer system utilizes personal data stored in the memory for supplying the input data (See Fig. 6, items 602-603, page 3, paragraph 0052).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the teaching of Carman into Ausems et al. and Hasan system in order to implement electronic password protection (See page 1, paragraph 0002 in Carman reference).

As to claim 2, Hasan teaches the computer system connected to internet (See Fig. 1, item 32), the voice commands spoken by the user commands to read a mail of the user and when the language processing program of computer system identifies the voice commands spoken by the user comprise commands to read the mail, the computer system executes the commands (See Fig. 1, items 20, 22, 24, from Col. 3, Line 48 to Col. 4, Line 55); and Ausems et al. teaches the personal data stored in the memory of the voice input module comprise the contents of address book of user (See Fig. 2, item 270, Col. 9, Lines 18-23) and utilizes the mail address stored in the memory of the voice input module to complete the computer command (See Figs. 2-3, items 100, 210, 270, 330, Col. 9, Lines 23-30).

As to claim 3, Hasan teaches that after the computer system reads the mail of the user, the computer system transforms the mail by text-to speech converter (the

language processing program) to voice signals and outputs the voice signals (see Fig. 1, items 28, 30, 10, Col. 4, Lines 16-55); and Ausems et al. teaches a speaker for transforming the voice signals to sounds (See Fig. 1b, item 135).

As to claim 9, Hasan teaches the voice input module comprise a mobile phone (See Fig. 1, item 10, Col. 3, Line 34).

3. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hasan, Carman and Ausems et al. as applied to claim 1 above, and further in view of Xie (Pub. No.: US 2003/0078803 A1).

Hasan, Carman and Ausems et al. do not show language processing program uses the voice command database to analyze the voice commands inputted by the voice input module to translate the voice commands to corresponding computer commands updated from internet.

Xie teaches a voice command processing system connected to internet which is more extensive than data base in storage and to analyze the voice commands to translate the voice commands to corresponding computer commands updated from internet (See Fig. 1, items 220, 230, pages 4-5, paragraph 0033 and page 7, paragraph 0052).

It would have been obvious to one of ordinary skill in the art at the time of invention to use voice command database and internet as shown by Xie into Hasan, Carman and Ausems et al. apparatus in order to increase the range of applications..

4. Claims 6-7 rejected under 35 U.S.C. 103(a) as being unpatentable over Hasan, Carman and Ausems et al. as applied to claim 1 above, and further in view of Luisi (Pub. No.: US 2002/0169617 A1).

Hasan and Ausems et al. do not show wire connection to computer system using universal serial bus (USB).

Luisi teaches a wire connection of the voice input module to the computer system using universal serial bus (USB) (See Fig. 1, items 100, 124, page 2, paragraph 0019).

It would have been obvious to one of ordinary skill in the art at the time of invention to use universal serial bus (USB) wire connection as shown by Luisi in Hasan, Carman and Ausems et al. apparatus in order to implement menu-driven voice control in a game environment (See page 1, paragraph 0007 in Luisi reference).

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hasan, Luisi, Carman and Ausems et al. as applied to claim 6 above, and further in view of Chihara et al. (Pub. No.: US 2002/0068600 A1).

Hasan, Luisi, Carman and Ausems et al. do not show wireless connection uses a bluetooth communication protocol.

Chihara et al. teaches wireless connection uses a bluetooth communication protocol (See Fig. 9, items 72, 74, page 7, paragraph 0080).

It would have been obvious to one of ordinary skill in the art at the time of invention to use bluetooth communication protocol for wireless connection as shown by

Chihara et al. in Hasan, Luisi, Carman and Ausems et al. apparatus in order to transmit information received from headset through the second communication link (See page 3, paragraph 0025).

Response to Amendment

6. Applicant's arguments filed on 06-10-04 with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

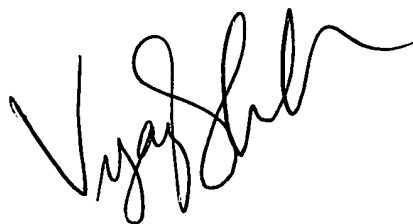
Telephone inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 703-305-5661. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703-305-4938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ls 08.09.04



**VIJAY SHANKAR
PRIMARY EXAMINER**